

1 KENNETH E. KELLER (SBN: 71450) [kkeller@kksrr.com](mailto:kkeller@kksrr.com)  
2 MICHAEL D. LISI (SBN 196974) [mlisi@kksrr.com](mailto:mlisi@kksrr.com)  
3 KRIEG, KELLER, SLOAN, REILLEY & ROMAN LLP  
4 114 Sansome Street, 4<sup>th</sup> Floor  
5 San Francisco, CA 94104  
6 Telephone: (415) 249-8330  
7 Facsimile: (415) 249-8333

8 STEVEN POKOLITOW (*Pro Hac Vice pending*) [spokolitow@stroock.com](mailto:spokolitow@stroock.com)  
9 CHARLES E. CANTINE (*Pro Hac Vice pending*) [ccantine@stroock.com](mailto:ccantine@stroock.com)  
10 STROOCK & STROOCK & LAVAN LLP  
11 180 Maiden Lane  
12 New York, New York 10038  
13 Telephone: (212) 806-5400  
14 Facsimile: (212) 806-6006

15 Attorneys for Defendant PANOPTX, INC.

16 UNITED STATES DISTRICT COURT  
17 FOR THE NORTHERN DISTRICT OF CALIFORNIA

18 PROTECTIVE OPTICS, INC., a California  
19 corporation,

Case No.: C05-02732 CRB

20 Plaintiff,

**STIPULATION AND [PROPOSED]  
ORDER PERMITTING TELEPHONIC  
APPEARANCE AT FEBRUARY 17, 2006  
CASE MANAGEMENT CONFERENCE**

21 v.

22 PANOPTX, INC., a California corporation,

23 Defendants.

24

25

26

27

28

Pursuant to Civil Local Rule 7-12, plaintiff Protective Optics, Inc. ("Protective Optics") and defendant Panoptx, Inc. ("Panoptx") stipulate as follows and respectfully request that the Court enter the following Proposed Order:

WHEREAS the Case Management Conference in this matter is set for February 17, 2006 at 8:30 a.m.;

WHEREAS counsel for Panoptx, Stroock & Stroock & Lavan LLP ("Stroock"), are located in New York, New York;

WHEREAS and Steven Pokolitow and Charles Cantine of Stroock would like to appear at the Case Management Conference without incurring the time and expense of traveling from New York to California for such appearance;

WHEREAS local counsel for Panoptx, Krieg, Keller, Sloan, Reilley & Roman LLP, will appear in person at the Case Management Conference;

WHEREAS plaintiff Protective Optics has no objection to counsel for Panoptx appearing telephonically at the Case Management Conference;

IT IS HEREBY STIPULATED AND AGREED THAT, subject to Court approval, Steven Pokolitow and Charles Cantine of Stroock & Stroock & Lavan may appear telephonically at the February 17, 2006 Case Management Conference. The Court may initiate the telephonic appearance by calling (212) 806-6288. Counsel will be available at that number from 8:15 a.m. PST until the matter is called and the Case Management Conference is completed.

Dated: February 10, 2006

KRIEG, KELLER, SLOAN, REILLEY & ROMAN LLP

By: \_\_\_\_\_ /s/  
Kenneth E. Keller  
Attorneys for Defendant PANOPTX, INC.

1 Dated: February 10, 2006

2  
3 FOLEY & LARDNER LLP  
45 By: \_\_\_\_\_  
67 Debra D. Nye, CA Bar No. 226076  
8dnve@foley.com  
9FOLEY & LARDNER LLP  
101530 Page Mill Road  
11Palo Alto, CA 94304-1125  
12Telephone: (650) 856-3700  
13Facsimile: (650) 856-3710  
1415 Attorneys for Plaintiff Protective Optics, Inc.  
1617 PURSUANT TO STIPULATION, IT IS SO ORDERED.  
1819 Dated: February 13, 2006  
2021 Hon. Charles R. Breyer  
22 United States District Court  
23